

**CITY COUNCIL OF THE CITY OF SAN DIEGO
SUPPLEMENTAL DOCKET NUMBER 2
FOR THE REGULAR MEETING OF
TUESDAY, DECEMBER 7, 2004 AT 10:00 A.M.
CITY ADMINISTRATION BUILDING
COUNCIL CHAMBERS – 12TH FLOOR
202 “C” STREET
SAN DIEGO, CA 92101**

ADOPTION AGENDA, CONSENT ITEMS

RESOLUTIONS:

* ITEM-S512: Casey Gwinn Day.

MAYOR MURPHY’S RECOMMENDATION:

Adopt the following resolution:

(R-2005-660)

Recognizing Casey Gwinn for his eight years of dedicated service to the City of San Diego and for his exemplary commitment to the citizens of San Diego;

Proclaiming December 3, 2004, to be “Casey Gwinn Day” in the City of San Diego.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S513: Results of November 16, 2004 Special Election in Council District 4.

CITY CLERK'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-613)

Declaring that the Council finds and determines, pursuant to the provisions of Section 27.0411 of the San Diego Municipal Code, as follows:

The whole number of votes cast in District No. 4 was 13,459.

The total vote received by each candidate at the special election is as follows:

For Council District No. 4 (term ending December 4, 2006)

George Stevens	4,615
Tony Young	3,102
Dwayne Crenshaw	2,898
Marissa Acierto	1,210
Bruce Williams	917
Jim Galley	260
Gloria Tyler-Mallery	252
Patrick Deshields	205

Declaring George Stevens and Tony Young are hereby to be the candidates for the office of Councilmember, District No. 4, in the Special Run-Off Election to be held in District No. 4 of the City of San Diego on January 4, 2005, pursuant to the provisions of Ordinance No. O-19316 (New Series) adopted September 7, 2004;

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S513: (Continued)

Declaring the number of votes cast in each precinct for and against the proposition is recorded in the Election Returns Book, which book is a part of the records of this Council;

Declaring the City Clerk shall make public the results of the canvass of the special election by publication of a copy of this resolution.

SUPPORTING INFORMATION:

A Special Election was held November 16, 2004 for the purpose of submitting candidates for the office of Councilmember for District Four (4) to the voters of that Council District. The results of that election have been certified by the City Clerk, and are now being certified to the City Council.

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ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S514: Approval of the 2005 Legislative Calendar.

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-661)

Adopting the schedule of meetings for the City Council and Standing Committees of the City Council for the period of January 1, 2005, through December 31, 2005.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S515: Four actions related to Year 2005 Committee Assignments.

(See memorandum from Mayor Murphy dated 12/2/2004.)

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolutions:

Subitem-A: (R-2005-654)

Appointing the following Councilmembers to serve as chairpersons and members of the four standing Council committees for terms commencing December 7, 2004, through December 31, 2005, pursuant to Section 22.0101, as amended, of the Municipal Code of the City of San Diego:

**COMMITTEE ON RULES, FINANCE, AND
INTERGOVERNMENTAL RELATIONS**

Mayor Dick Murphy (Chair)
Councilmember Michael Zucchet (Vice Chair)
Councilmember Jim Madaffer
Councilmember Brian Maienschein
Councilmember Scott Peters

**COMMITTEE ON PUBLIC SAFETY AND
NEIGHBORHOOD SERVICES**

Councilmember Jim Madaffer (Chair)
Councilmember District 4 (Vice Chair)
Councilmember Toni Atkins
Councilmember Ralph Inzunza
Councilmember Michael Zucchet

COMMITTEE ON NATURAL RESOURCES AND CULTURE

Councilmember Brian Maienschein (Chair)
Councilmember Toni Atkins (Vice Chair)
Councilmember Donna Frye
Councilmember Jim Madaffer
Councilmember District 4

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S515: (Continued)

Subitem-A: (Continued)

COMMITTEE ON LAND USE AND HOUSING

Councilmember Scott Peters (Chair)

Councilmember Ralph Inzunza (Vice Chair)

Councilmember Toni Atkins

Councilmember Donna Frye

Councilmember District 4

Declaring that Rule 13 of the Permanent Rules of Council is hereby temporarily suspended pursuant to Rule 32 to permit the City Council to appoint the members of the four standing committees rather than the Rules Committee.

Subitem-B: (R-2005-656)

Appointing the following Councilmembers to serve as chairpersons of the four standing Council committees for terms commencing December 7, 2004, and ending December 31, 2005, pursuant to Section 22.0101, as amended, of the Municipal Code of the City of San Diego:

COMMITTEE

CHAIRPERSON

**COMMITTEE ON RULES, FINANCE, AND
INTERGOVERNMENTAL RELATIONS**

Mayor Dick Murphy

**COMMITTEE ON PUBLIC SAFETY AND
NEIGHBORHOOD SERVICES**

Councilmember Jim Madaffer

**COMMITTEE ON NATURAL RESOURCES
AND CULTURE**

Councilmember
Brian Maienschein

**COMMITTEE ON LAND USE AND
HOUSING**

Councilmember Scott Peters

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S515: (Continued)

Subitem-C: (R-2005-657)

Selecting Councilmember Michael Zucchet as Deputy Mayor of the City of San Diego for the period commencing December 7, 2004, and ending December 31, 2005, pursuant to Section 25 of the Charter of the City of San Diego and after full discussion and deliberation by the City Council.

Subitem-D: (R-2005-658)

Establishing a Temporary Rule of the Council to create a committee known as the Committee on Government Efficiency and Openness consisting of the following Committee members and such advisors as they shall appoint, pursuant to the San Diego Municipal Code Section 22.0101, Rule 31, entitled "Temporary Rules":

Councilmember Donna Frye (Chair)
Councilmember Toni Atkins
Councilmember Brian Maienschein

Declaring that this Temporary Rule supersedes the Permanent Rules of the Council established by Section 22.0101 of the San Diego Municipal Code and shall be effective until December 31, 2005, unless made permanent by enactment of an ordinance.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S516: Year 2005 Council Appointments to Outside Organizations.

(See memorandum from Mayor Murphy dated 12/2/2004.)

MAYOR MURPHY'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-655)

Appointing the following named persons to serve as Council representatives and Council liaison and their alternates to organizations listed below for the period commencing December 7, 2004, through December 31, 2005, pursuant to Section 22.0101, as amended, of the San Diego Municipal Code:

1. **ABANDONED VEHICLE ABATEMENT SERVICE AUTHORITY:**

Donna Frye - representative

District 4 Councilmember - representative

2. **CITY-COUNTY JOINT HOMELESS TASK FORCE:**

Toni Atkins - representative

Michael Zucchet - representative

3. **CRIMINAL JUSTICE COUNCIL:**

District 4 Councilmember - representative

4. **LEAGUE OF CITIES, SAN DIEGO COUNTY DIVISION:**

Jim Madaffer - representative

5. **LOCAL AGENCY FORMATION COMMISSION:**

Donna Frye - representative

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S516: (Continued)

6. **LOS PENASQUITOS CANYON PRESERVE TASK FORCE:**

Brian Maienschein - representative

Scott Peters - representative

7. **METROPOLITAN TRANSIT SYSTEM BOARD:**

Toni Atkins - representative, Executive Comm.

Brian Maienschein - representative, Taxi Cab Comm., alt. Exec Comm

Michael Zucchet - representative

District 4 Councilmember - representative

8. **MISSION TRAILS REGIONAL PARK TASK FORCE:**

Jim Madaffer - representative

Mayor Dick Murphy - representative

9. **NORTH EMBARCADERO ALLIANCE:**

Michael Zucchet - representative

10. **OTAY RIVER VALLEY REGIONAL PARK POLICY COMMITTEE:**

Ralph Inzunza - representative

11. **PORT COMMISSION LIAISON:**

Michael Zucchet - representative

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S516: (Continued)

12. **REINVESTMENT TASK FORCE:**

District 4 Councilmember - representative

13. **SANDAG BOARD OF DIRECTORS:**

Jim Madaffer - representative

Scott Peters - representative

Mayor Dick Murphy - alt.

14. **SANDAG BAYSHORE BIKEWAY COMMITTEE:**

Michael Zucchet - representative

15. **SANDAG BORDERS COMMITTEE:**

Ralph Inzunza - representative

Brian Maienschein - alt.

16. **SANDAG HIGH SPEED RAIL TASK FORCE:**

Brian Maienschein - representative

17. **SANDAG EXECUTIVE COMMITTEE:**

Jim Madaffer - representative

Scott Peters - alt.

18. **SANDAG PUBLIC SAFETY COMMITTEE:**

District 4 Councilmember - representative

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S516: (Continued)

19. **SANDAG REGIONAL ENERGY WORKING GROUP:**

Donna Frye - representative

20. **SANDAG REGIONAL HOUSING TASK FORCE:**

Toni Atkins - representative

21. **SANDAG REGIONAL PLANNING COMMITTEE:**

Scott Peters - representative

Jim Madaffer - alt.

22. **SANDAG SHORELINE PRESERVATION COMMITTEE:**

Scott Peters - representative

23. **SANDAG TRANSPORTATION COMMITTEE:**

Jim Madaffer - representative

Scott Peters - alt.

Mayor Dick Murphy- alt.

24. **SANDAG WALKABLE COMMUNITIES COMMITTEE:**

Donna Frye – representative

25. **SAN DIEGO WORKFORCE PARTNERSHIP:**

Toni Atkins – representative

District 4 Councilmember – representative

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S516: (Continued)

26. **SAN DIEGO REGIONAL AIRPORT AUTHORITY:**

Ralph Inzunza - representative

27. **SAN DIEGO RIVER CONSERVANCY:**

Mayor Dick Murphy - representative

Donna Frye - representative

28. **SAN DIEGUITO RIVER VALLEY REGIONAL OPEN SPACE
PARK JOINT POWERS AUTHORITY:**

Brian Maienschein – representative

Scott Peters - representative

29. **SERVICE AUTHORITY FOR FREEWAY EMERGENCIES
(SAFE):**

Donna Frye – representative

District 4 Councilmember - representative

30. **SOUTHEASTERN ECONOMIC DEVELOPMENT
CORPORATION LIAISON:**

District 4 Councilmember - representative

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

- * ITEM-S517: Agreement with San Diego Second Chance Project for CDBG Funding of a Commercial Office Building at 6145 Imperial Avenue.

(Encanto Community Area. District 4.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-597)

Authorizing the City Manager to execute an agreement with San Diego Second Chance Program (Second Chance), a non-profit corporation, for the receipt of an amount not to exceed \$220,000 in Community Development Block Grant (CDBG) funds to assist in funding the purchase price of a commercial office building at 6145 Imperial Avenue (the Property) recently acquired by Second Chance for space to provide its services and administrative functions, such CDBG funds to be provided under the terms and conditions set forth in the agreement, and subject to the recordation of a Promissory Note and Deed of Trust executed by Second Chance in favor of City and secured by the Property;

Authorizing the City Manager to expend an amount not to exceed \$220,000 from CDBG funds as follows, all subject to the terms and conditions of the agreement referenced above: \$50,000 from Fund No. 18535, \$30,000 from Fund No. 18536, \$60,000 from Fund No. 18537, \$25,000 from Fund No. 18539, \$55,000 from Fund No. 18540.

CITY MANAGER SUPPORTING INFORMATION:

The City is making available through a loan of \$220,000 in Community Development Block Grant funds to the Second Chance Program, a non-profit social services provider, to purchase property located at 6145 Imperial Avenue to provide a facility that would offer large meeting space for basic job skills training, multiple specialized classrooms, computer labs, and space for administrative functions. Second Chance will provide the balance of the purchase price from other sources.

The City's loan will be secured by a Note and Deed of Trust recorded on the property purchased by Second Chance.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S517: (Continued)

FISCAL IMPACT:

\$220,000 is available in Community Block Grant Fund Numbers 18535, 18536, 18537, 18539 & 18540.

Herring/Griffith/LM

Aud. Cert. 2500555.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S518: South Fortuna Mountain Acquisition.

(Mission Trails Regional Park Community Area. District 7.)

CITY MANAGER'S RECOMMENDATION:

Adopt the following resolution:

(R-2005-652)

Authorizing the City Manager to exchange the City's property for property and funds to be received as part of Escrow No. 3204575-JH at Commonwealth Land Title Company between the City, SDSU, and SDG&E, as follows:

1. Authorizing the City Manager as part of the property exchange, to accept a deed from SDSU for the South Fortuna Property being 91 acres of property located within the northern boundary of Mission Trails Regional Park as identified on Plat "A";
2. Authorizing the City Manager as part of the property exchange, to accept an endowment of \$270,000 from SDSU for the management and maintenance of the South Fortuna Property;
3. Authorizing the City Manager as part of the property exchange, to grant to SDG&E a 200-foot wide easement and right-of-way traversing Mission Trails Regional Park from approximately Tierrasanta Boulevard to Highway 52 for the construction and maintenance of aboveground and underground equipment and facilities for the transmission and distribution of electricity, all as set forth in that certain Easement;
4. Authorizing City Auditor and Comptroller to deposit the endowment of \$270,000 in the Fortuna Mountain Fund, Fund No. 67070.

ADOPTION AGENDA, CONSENT ITEMS (Continued)

RESOLUTIONS: (Continued)

* ITEM-S518: (Continued)

CITY MANAGER SUPPORTING INFORMATION:

The proposal is the acceptance of fee title to approximately 90 acres of land located on South Fortuna Mountain adjacent to Mission Trails Regional Park, for the Park and Recreation Department. San Diego Gas and Electric is funding the purchase of this land in exchange for the renewal of an existing overhead electrical easement that runs diagonally through Mission Trails Regional Park.

In the 1950s, SDG&E obtained an easement from the Department of Navy over property, which today includes portions of Miramar, East Elliott, Mission Trails Park and Tierrasanta. The easement will expire in 2005, and SDG&E needs to re-establish its easement rights in this area. SDG&E has proposed to enter into a three party escrow agreement with San Diego State University (SDSU) and the City of San Diego (City). Conditions of the escrow are that SDG&E will fund the acquisition of approximately 90 acres of land on South Fortuna Mountain from SDSU (see plat "A"); SDSU will deed directly to the City said 90 acres and will provide an endowment of approximately \$270,000 to the Park and Recreation Department for management of the property; the City will renew the electrical easement SDG&E currently has across a portion of Mission Trails Park that is due to expire (see plat "B").

The endowment of \$270,000 will be deposited into Fortuna Mountain Fund 67070 that was established in February of 2003 when the City acquired 265 acres of South Fortuna Mountain in a similar transaction involving the San Diego Zoological Society. The interest from said endowment will to maintenance Fund 10708, Fortuna Mountain.

FISCAL IMPACT:

The San Diego State University will provide the City with an endowment of approximately \$270,000 to fund continual management of the property.

Herring/Griffith/BLM